

*[Counsel Listed on Signature Block]*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ADAPTIX, Inc.,

Plaintiff,

v.

DELL, INC., *et al.*,

Defendants.

Case No. 5:14-cv-01259-PSG

v.

AMAZON.COM, INC., *et al.*,

Defendants.

Case No. 3:14-cv-01379-JSW

v.

BLACKBERRY LTD., *et al.*,

Defendants.

Case No. 3:14-cv-01380-EMC

v.

SONY MOBILE COMMUNICATIONS,  
INC., *et al.*,

Defendants.

Case No. 3:14-cv-01385-SI

v.

BLACKBERRY LTD., *et al.*,

Defendants.

Case No. 3:14-cv-01386-YGR

v.

BLACKBERRY LTD., *et al.*,

Defendants.

Case No. 3:14-cv-01387-JST

**JOINT ADMINISTRATIVE MOTION TO CONSIDER CASES RELATED**

Pursuant to Civil L.R. 3-12, the parties submit this joint administrative motion to consider the above-captioned cases, recently transferred from the Eastern District of Texas, related to each other and to six other cases currently pending in this District before Magistrate Judge Grewal.

**PROCEDURAL HISTORY**

The above-captioned cases (“the Proposed Related Actions”) were recently transferred from the Eastern District of Texas, and have been assigned to six different judges in this District. The Proposed Related Actions involve the same the same two patents, U.S. Patent Nos. 6,947,748 and 7,454,212, and the same Plaintiff, although the cases name various different Defendants.<sup>1,2</sup>

Six other cases involving the same Plaintiff and patents are currently pending in this District before Magistrate Judge Grewal: 5:13-cv-01774, -01776, -01777, -01778, -01844, and -02023. Those other cases have been determined to be related, and the parties have consented in those cases to proceed before Magistrate Judge Grewal for all purposes, including trials.

The Proposed Related Actions meet the criteria for related actions under Civil L.R. 3-12. Plaintiff Adaptix asserts the same two patents in each case and alleges that Defendants in each of the actions infringe the patents by making, using, offering for sale, selling, and/or importing mobile communications devices advertised as operating on a 4G LTE wireless network. Discovery, motion practice, and hearings are likely to concern many of the same issues. The parties believe that proceeding with separate cases before six different judges would cause an unduly burdensome duplication of labor and expenses and risk conflicting results.

**CONCLUSION**

Because the Proposed Related Actions meet the requirements of Civil Local Rule 3-12, the parties respectfully request that they be deemed related to each other and to Case Nos. 5:13-cv-01774, -01776, -01777, -01778, -01844, and -02023 currently pending before Magistrate Judge Grewal.

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<sup>1</sup> Defendants BlackBerry Corporation and BlackBerry Limited are named in three of the above-referenced cases, Nos. 3:14-1380, 3:14-1386, 3:14-1387, further supporting the conclusion that those cases should be deemed related.

<sup>2</sup> Under L.R. 3-12(a)(1), related cases require that the “the actions concern substantially the same parties, property, transaction or event.” Adaptix asserts the same patents across the Proposed Related Actions and accuses an industry standard that it contends is commonly used across the Proposed Related Actions. Different unrelated Defendants are named in the various Proposed Related Actions, different products are accused in the various Proposed Related Actions, and the Proposed Related Actions do not involve a common transaction or event. For these reasons, the parties agree that separate trials are appropriate in each of the Proposed Related Actions.

1  
2 Dated: April 8, 2014

Respectfully submitted,

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19 **ATTESTATION OF CONCURRENCE IN FILING**

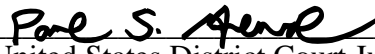
20 Pursuant to Civil Local Rule 5-1(i)(3), Michael James Ercolini attests that concurrence in  
21 the filing of this document has been obtained from each of the Signatories listed above.

22  
23 /s/ Michael James Ercolini

24 Michael James Ercolini

PURSUANT TO THE JOINT MOTION OF THE PARTIES, IT IS SO ORDERED.

Date: April 10, 2014

  
United States ~~District Court Judge~~  
Magistrate Judge